

Appl. No. 09/509,603
Atty. Docket No. 6873
Amdt. dated 06/18/2003
Reply to Office Action of 3/31/03

REMARKS/ARGUMENTS

Claims 31, 33-37 and 39-47, 49 and 51 are currently being considered in the case, inasmuch as Claims 11-30 and 32 have been withdrawn from consideration and Claims 1-10, 38, 48 and 50 have been cancelled.

Claims 31 and 33 have been amended herewith to specify that the alkaline material that is used to provide the pH of the composition comprises a volatile alkanolamine. Basis is at page 7, line 9 ("volatile") and page 9, line 6 ("alkanolamine"). Claims 48 and 50 have been cancelled as redundant in view of the amendments to Claims 31 and 33. Claims 49 and 51 have been amended to employ the "volatile alkanolamine" terminology, consistent with Claims 31 and 33. It is submitted that all amendments are fully supported, and entry is requested.

Obviousness Double Patenting

Submitted herewith is a Terminal Disclaimer over U.S. 6,380,151. It is submitted that this overcomes the rejection of Claims 31 and 33 at pages 2-3 of the Office Action.

Rejections Under 35 USC 112

Applicants' attorney is a bit confused by the Examiner's position regarding §112. At page 2, the Examiner indicates that the previous amendments/clarifications have overcome the earlier §112 rejections. Yet, at page 5, the Examiner indicates that Claims 37 and 45-47 would be allowable if claims were amended to overcome the rejection(s) under §112, first paragraph, set forth in this Office Action. Moreover, at page 5 the Examiner indicates that Claims 49 and 51 would be allowable if rewritten to overcome the rejections under §112 in this Office Action.

In point of fact, there appears to be no §112 rejections of any claims in this Office Action.

However, in order to advance prosecution of the case, and in view of the Examiner's discussion of the lack of the term "organic" in various pending claims, independent Claims 31 and 33 have now been amended to recite that the alkaline material comprises a "volatile alkanolamine". Claims 49 and 51 have been amended to specify that "said volatile alkanolamine" is 2-amino-2-methylpropanol. Independent Claim 37 (unamended herein) already recites 2-amino-2-methylpropanol.

Inasmuch as all other claims in the case relate back to one of said independent claims, all such claims now, perforce, recite the "volatile alkanolamine" element.

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In light of the foregoing, it is submitted that all claims meet the requirements of §112, and withdrawal of any remaining rejections under this section of 35 USC is requested.

Rejection Under 35 USC 103

As noted above, Claims 37, 45-47, 49 and 51 are indicated as allowable, pending the §112 rejections (page 5 of the Office Action).

At page 3 of the Office Action, Claims 37, 49 and 51 are impliedly allowable, but Claims 31-36, 39-48 and 50 are not.

At page 5 of the Office Action, Claims 31, 33-36 and 39-44 stand rejected over U.S. 1,357,323 and U.S. 5,522,110, for reasons of record in paper #10 (9/18/02).

At page 5, new Claims 48 and 50 stand rejected for reasons of record in paper #10 over '323. The Examiner specifically notes the "sodium xylene sulphonate" and "lower aliphatic alcohols" listed therein.

Applicants respectfully traverse all §103 rejections, to the extent they may apply to the amended claims now in the case. Comments earlier made with regard to the cited references remain in effect, but will not be repeated here for the sake of brevity.

At the outset, it is noted that neither the xylene sulphonate nor the alcohols of '323 are volatile alkaline compounds, as earlier recited in Claims 48 and 50. In any event, all claims are now amended to specify that the volatile compound is an alkanolamine. It is submitted that nothing in '323 teaches or suggests the use of such alkanolamines. Reconsideration and withdrawal of the rejections on that basis are requested.

With regard to the combination of '110 and '323, as noted in the previous responsive amendment, since '110 teaches no compositional parameters, its combination with '323 neither teaches nor suggests the present compositions/processes which require the presence of the volatile alkanolamine. Withdrawal of the rejection on this basis is requested.

In light of the amendments to the claims and the foregoing discussion, it is submitted that all claims now in the case are in condition for allowance. Early and favorable action is requested.

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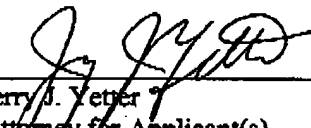
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